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*Proposed Counsel for the Debtors
and Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Chapter 11

MERCON COFFEE CORPORATION, *et al.*,¹

Case No. 23-11945 (MEW)

Debtors.

Jointly Administered

**NOTICE OF HEARING AND AGENDA
FOR CONTINUED FIRST DAY HEARING**

PLEASE TAKE NOTICE that, as announced at the hearing held on December 8, 2023, a further hearing (the “**Continued First Day Hearing**”) has been scheduled for **December 11, 2023 at 1:00 p.m. (Prevailing Eastern Time)** before the Honorable Michael E. Wiles, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, One

¹ The Debtors in these chapter 11 cases, along with the last four (4) digits of each Debtor’s federal tax identification number, if applicable, are: Mercon Coffee Corporation (1844); Mercon B.V. (N/A); Mercon Brasil Comércio de Café Ltda. (N/A); Agro International Holding B.V. (N/A); Mercapital de Nicaragua, S.A. (N/A); Distribuidora de Granos de Nicaragua S.A. (N/A); Cisa Export S.A. (N/A); Comercial Internacional de Granos de Honduras, S.A. de C.V. (N/A); Mercon Guatemala, S.A. (N/A); Mercafe Vietnam LTD. (N/A); Comercial Internacional Exportadora, S.A. (N/A). The Debtors’ mailing address is: 999 Ponce de Leon Blvd, Suite 910, Coral Gables, FL 33134.

Bowling Green, New York, NY 10004, in order to consider, among other things, the relief requested by the Debtors in the DIP Motion (as defined below).

PLEASE TAKE FURTHER NOTICE that the Continued First Day Hearing will be conducted through Court Solutions LLC. Parties should not appear in person and those wishing to appear telephonically or participate at the Hearing (whether “live” or “listen only”) must schedule an appearance prior to 12:00 p.m. (Eastern Time) on December 11, 2023 by using the following link: <https://www.court-solutions.com/>. Instructions for making a telephonic appearance and additional information on the Court’s telephonic procedures can be found at <https://www.nysb.uscourts.gov/sites/default/files/m543.pdf>.

PLEASE TAKE FURTHER NOTICE that copies of the DIP Motion can be viewed and/or obtained by: (i) accessing the Court’s website at www.nysb.uscourts.gov, or (ii) from the Debtors’ proposed notice and claims agent, Kroll Restructuring Administration LLC (the “**Claims Agent**”), at <https://cases.ra.kroll.com/mercon> or by calling (844) 974-4369 (toll free) for U.S. and Canada based parties or +1 (646) 586-9785 for international parties. Note that a PACER password is needed to access documents on the Court’s website.

PLEASE TAKE FURTHER NOTICE that the Continued First Day Hearing may affect your rights. Please read the DIP Motion to be heard at the Continued First Day Hearing carefully.

PLEASE TAKE FURTHER NOTICE that if you oppose the relief requested in the DIP Motion, or if you want the Court to hear your position on the DIP Motion, then you or your attorney must attend the Continued First Day Hearing. If you or your attorney do not follow the foregoing steps, the Court may decide that you do not oppose the relief requested in the DIP Motion and may enter orders granting the relief requested by the Debtor.

PLEASE TAKE FURTHER NOTICE that an agenda for the Continued First Day Hearing is set forth below.

AGENDA FOR DECEMBER 11, 2023 at 1:00 P.M. – CONTINUED FIRST DAY HEARING

I. Motions to Be Heard at the Continued First-Day Hearing:

1. Motion of Debtors for (I) Authority to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (C) Grant Liens and Provide Superpriority Administrative Expense Status, (D) Grant Adequate Protection, (E) Modify the Automatic Stay, and (F) Schedule a Final Hearing and (II) Related Relief [ECF No. 5] (“**DIP Motion**”)

Status: This matter is going forward solely as to the Debtors’ request for use of cash collateral. This matter is not going forward with regard to the Debtor’s request for postpetition financing.

II. **Related Pleadings:**

2. Declaration of Harve Light, Chief Restructuring Officer (I) in Support of the Chapter 11 Petitions and First Day Pleadings and (II) Pursuant to Local Bankruptcy Rule 1007-2 [ECF No. 17]

Dated: December 10, 2023

BAKER & McKENZIE LLP

By: /s/ Blaire Cahn

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